

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In Re:)	Bankruptcy No. 20-21563 JAD
Cheri L. Kadlecik)	Chapter 13
Ryan S. Kadlecik)	Doc No.
Debtors)	
MIDFIRST BANK, its successors and/or assigns)	
Movant)	Hearing: 10/28/2020 at 10:00 AM
vs)	
Cheri L. Kadlecik)	
Ryan S. Kadlecik)	
Respondent)	
and)	
Ronda J. Winnecour, Trustee)	
Additional Respondent)	

**DEBTOR'S RESPONSE TO MOTION FOR
RELIEF FROM THE AUTOMATIC STAY**

Cheri L. Kadlecik and Ryan S. Kadlecik, the Debtors/Respondents in the above captioned case, by their counsels, Bryan P. Keenan & Associates, P.C. and Bryan P. Keenan Esq., and files the within Response to the Motion from the Automatic Stay filed by Midfirst Bank.

1. Admitted.
2. Admitted.
3. Admitted.
4. Denied. The Debtors/Movants are current with their plan payments.
5. Denied. Strict proof is demanded.
6. Denied.
7. Denied. The Chapter 13 Trustee has paid Movant a total of \$7,523.86 for the post petition payments.
8. Denied. This case was filed on May 18, 2020. The first payment to be made on the mortgage was in June of 2020. The monthly mortgage payment is \$2,241.28 per month. A total of 4 payments for the month of June-September 2020 were due at the time this Motion was filed. This represents a cumulative total of \$8,965.12. To date the Movant has been paid a total of

\$7,523.86, which represents a difference of \$1,441.00. Presently, the trustee has a balance on hand of \$1,654.52.

9. Admitted. The Movant is adequately protected by virtue of the equity in the property.

10. Admitted.

11. Admitted.

12. Denied.

13. Denied.

14. Denied.

15. Denied. The Movant has no cause to file this Motion, and, therefore, should not be entitled to any legal fees. The Movant is well aware of the Conduit Mortgage Payment Procedure in this District. Despite this Motion due to an alleged delinquency in payments to the Chapter 13 Trustee in the amount of \$973.80.

WHEREFORE, the Debtors/Respondents respectfully request that this Court deny the Movant's Motion for Relief from the Automatic Stay.

Date: **October 9, 2020**

/s/ Bryan P. Keenan .

Bryan P. Keenan, Esquire

Attorney for the Debtor

PA I.D. No. 89053

Bryan P. Keenan & Associates, P.C.

993 Greentree Road, Suite 101

Pittsburgh, PA 15220

(412) 922-5116

keenan662@gmail.com